SOUTH BERGEN VII WORKERS' COMPENSATION POOL
MINUTES
MEETING –DECEMBER 9, 2024
ZOOM VIRTUAL MEETING
10:30 A.M.

Meeting called to order by Chairperson Wasserman. Open Public Meeting Act read into Minutes by Chairperson Wasserman.

ROLL CALL OF 2024-25 BOARD OF TRUSTEES:

Chairperson		
Andrea Wasserman	Montvale BOE	Present
Vice-Chair		
Samantha Dembowski	North Arlington BOE	Absent
Secretary		
Keith Rosado	Westwood BOE	Present
Trustees		
John Marmora	Emerson BOE	Present
Michael Steinmetz	Fort Lee BOE	Absent
Robert Brown	Hasbrouck Heights BOE	Absent
Michael Rinderknecht	Lodi BOE	Present
James Hyman	Lyndhurst BOE	Absent
Laurel Spadavecchia	Moonachie BOE	Present
Alexsandar Kondovski	Palisades Park BOE	Present
Thomas O'Hern	Ramsey BOE	Present
Matthew Whitford	Rutherford BOE	Present
Susan Cucciniello	South Bergen Jointure Commission	Present
Bert Arifaj	South Hackensack BOE	Absent
Jody Pietrowitz	Wallington BOE	Present
Keith Lisa	Wood-Ridge BOE	Present

APPOINTED OFFICIALS PRESENT:

Executive Director/ Administrator	Perma Risk Management Services **Joseph Hrubash** **Cate Kiernan**	 Present Present
Attorney	**William Bailey, Esq.**	Present
Treasurer	**Dr. Philip Nisonoff**	Absent
Underwriting Manager/ Excess WC Broker	Polaris Galaxy **Justin Gallo**	 Present
Claims Services	Bergen Risk Managers **John Markel**	 Present
Actuary	AIS Risk Consultants **Allan Schwartz**	 Absent

OTHERS PRESENT:
Jason Thorpe, PERMA
Pauline Kontomanolis, PERMA
Emalee Cronwell, PERMA
Candy Leonard, PERMA
Jennifer Conicella, PERMA
Steven Krolian, PERMA
Dennis Skalkowski, Bowman & Co.
Kaleigh Sawers, Bowman & Co

APPROVAL OF MINUTES: OPEN MINUTES OF OCTOBER 21, 2024

MOTION TO APPROVE THE OPEN MINUTES OF OCTOBER 21, 2024

MOVED: Trustee Kondovski
SECOND: Secretary Rosado
VOTE: Unanimous

CORRESPONDENCE

None.

TREASURER

None.

EXECUTIVE DIRECTOR/ADMINISTRATOR:

AUDITOR AND ACTUARY FISCAL YEAR-END REPORTS – Executive Director reported that the Final Audit Report and Actuary Reserves Report as of June 30, 2024 were provided to the Trustees via email. Executive Director advised Mr. Dennis Skalkowski, who prepared the audit as of 6/30/2024, was present in the meeting and would provide a high-level overview. Mr. Skalkowski reported that the audit has a clean opinion and no findings or recommendations. Mr. Skalkowski referred to the Statement of Net Position Report. Mr. Skalkowski reported that as of 6/30/2024, the Pool had $14,401,604 in total asset and $12,791,586 in total liabilities and reserves. Mr. Skalkowski reported that the Pool had an unrestricted net position of $1,610,018. Mr. Skalkowski then referred to the Statement of Revenues, Expenses, and Changes in Net Position Report. Mr. Skalkowski reported that at the fiscal year-end of 6/30/2024, the Pool had total contributions of $2,698,911 and total operating expenses of $3,993,297 which resulted in an operating loss of $1,294,386. Mr. Skalkowski asked if there were any questions and/or comments. Hearing none, Executive Director indicated that Resolution #12-24/25 had to be adopted to approve the audit.

MOTION TO APPROVE FISCAL YEAR-END FINANCIALS AND ADOPT RESOLUTION #12-24/25

MOVED: Trustee Rinderknecht
SECOND: Trustee Cucciniello
ROLL CALL VOTE: Unanimous

SOBER POOL BY-LAWS AMENDMENT – Executive Director said that as discussed during the previous Board of Trustees meeting, the Pool Attorney is recommending amendments be made to several Articles of the Pool By-laws. Executive Director referred to a redline draft of the By-laws reflecting the proposed amendments. Executive Director then asked the Pool Attorney to provide an overview of the

amendments being recommended. Mr. Bailey advised that the changes being recommended are not significant and noted that the last time the By-laws was 1998. Mr. Bailey proceeded to review the various recommended changes. Following the review of the recommended changes, Executive Director asked the Deputy Executive Director to explain the By-law amendment process to the Board. Deputy Executive Director explained that if the Board is in agreement with the proposed changes, it would be appropriate to initiate the process, by way of a motion, and schedule a Public Hearing on the By-Law Amendments for the next Board of Trustees meeting. Deputy Executive Director said following the Public Hearing, a notice will be sent to the membership outlining the amendments along with a sample resolution to be adopted by the district's governing body within 6 months**.** Deputy Executive Director advised that the resolution would need to be adopted by 75% of the membership in order for the amendments to be approved. Deputy Executive Director noted that if any member within the other 25% does not agree with the changes, they will have an opportunity to opt-out of their membership. Executive Director asked if there were any questions. Chair Wasserman asked that regarding the proposed amendment to the $300 membership fee, does the Pool actually charge potential members that want to join. Mr. Bailey advised that there is currently a $300 membership fee in the By-laws that covers any administrative evaluation and safety inspection services. Discussion ensued regarding the language that should be used for that amendment. Following the discussion, it was agreed upon that the language would state, *"Each new application may incur a one-time administrative evaluation and safety inspection fee to be set by resolution of the Board of Trustees"*. Executive Director asked if there were any further questions. Hearing none, Chair Wasserman asked for a motion to initiate the process.

MOTION TO INITIATE THE BY-LAW AMENDMENT PROCESS AND SCHEDULE THE PUBLIC HEARING ON THE BY-LAW AMENDMENTS FOR TUESDAY, JANUARY 21, 2025 AT 1:30 P.M. VIA ZOOM.

MOVED: Secretary Rosado
SECOND: Trustee Marmora
ROLL CALL VOTE: Unanimous

2025/2026 BUDGET PROCESS – Executive Director reported that PERMA will schedule a meeting with the Pool Officers to discuss the proposed 2025/2026 budget prior to the next Pool meeting. Executive Director noted that the Pool will introduce a budget at the January 21, 2025 meeting and schedule the public hearing and budget adoption at the March 17, 2025 meeting.

SAFETY TRAINING VIDEOS – Executive Director reported that as a follow-up to the last Board of Trustees meeting, BRM has identified two online safety training videos that may assist members with their loss control. Executive Director referred to the descriptions for each training enclosed within the agenda packet. Executive Director then asked Mr. Markel to commend on the training videos. Mr. Markel reported there were 2 safety videos that he identified and included in the lost history package that was sent to the membership in November. Mr. Markel noted that he also provided the link to the video library and the online training library that is provided through Tri-state Safety Solutions (Tri-state). Mr. Markel reported that over the 3-years, post Covid, slips, trips and falls/fall down claims have plagued the Pool. Mr. Markel noted that the 2 safety training videos he identified pertain to slip, trip, and fall awareness. Mr. Markel said BRM will attempt to set up a master link and a master password to the Tri-state video library. Mr. Markel said he will also work with Tri-state that to determine whether their video library has the capability to record which districts have accessed the library and what type of training material is being used. Chair Wasserman commented that for the districts that have access to the SAIF School's trainings, she found a 17-minute course on slips, trips, and falls. Chair Wasserman suggested that when courses are assigned for district employees for next school year consider making this a mandatory training. Discussion ensued regarding the best approach for mandatory trainings. The Trustees indicated it may be more difficult for them to add mandatory training outside of the SAIF Schools program.

CLAIMS FOCUS MEETINGS – Deputy Executive Director reported that following a review of the most recent loss ratio data, PERMA has identified four members that have a higher claims frequency and may benefit from a 'Focus Meeting'. Deputy Executive Director noted that the purpose of a Focus Meeting is to review a member's claims with the member to determine what changes can be made to reduce their claim frequency. Deputy Executive Director suggested possibly recommending and encouraging those four members to take the additional trainings being offered by Tri-State. Chair Wasserman agreed with the suggestion. Deputy Executive Director noted that PERMA is targeting the third week of January 2025 to have the first Focus Meeting.

CLAIMS TRACKING REPORTS – Executive Director advised the Claim Tracking reports as of October 31, 2024 were included in the agenda. Executive Director referred to a copy of the Claims Management Expected Loss Ratio Analysis Report. Executive Director advised this report measured how the losses were running compared to the actuary's projections. Executive Director reviewed the Fund Years with the Board. Executive Director said the report indicates that claims are beginning to trend in a better direction.

CLAIMS ADMINISTRATOR:

Mr. Markel reminded the Board that during the October meeting he reported that the post-COVID 3-year period has been very difficult for the Pool mainly stemming from slip, trip, and fall claims. Mr. Markel reported that the trend began to improve, beginning in the at the end of the 1st quarter of the 2024-25 fiscal year/beginning of the 2nd quarter. Mr. Markel reported that as December 6th, there are 115 claims reported, which is slightly below 2022/23 and 2023/24 fiscal years. Mr. Markel reported that incident frequency has continued to decrease significantly in this fiscal year where only 12.2% of the claims were due to fall downs versus a 30.2% fall down incident rate during that 3-year post-covid period. Mr. Markel added that it is approximately a 60% decrease in fall down frequency which is an extremely positive trend. Mr. Markel reported that the total incurred for the current fiscal year is $640,000 and it is being driven largely by 2 claims. Mr. Markel noted that both claims were fall downs with a combined total incurred of $466,000. Mr. Markel advised that the 2 incidents represent less than 2% of the claims, but responsible for 73% of the total incurred. Mr. Markel reported that the predominant cause of loss for the current fiscal year is physical interaction with students that have behavioral issues. Lastly, Mr. Markel reminded the Board that at the last meeting a discussion took place regarding the age of the claimants when the trip and fall claims occurred during the 3-year post COVID period. Mr. Markel reported that during that period, there were 80 fall-down claims for claimants above the age of 60 with a total incurred of $1.67 million.

UNDERWRITING MANAGER:

Mr. Gallo said regarding the return premium from policy period 2023-24 in the amount of $961 that was previously reported on, there was an issue with the check coming from the carrier. Mr. Gallo noted that the check was reissued and once he receives it, he will deliver it to the Pool Treasurer.

OLD BUSINESS:

None.

NEW BUSINESS:

Trustee Marmora advised that he just spoke with Dr. Nisonoff who sends his apologies for missing the meeting as he had another meeting out of district that ran later than he anticipated.

PUBLIC COMMENT:

None.

MOTION TO ADJOURN MEETING

MOTION: Trustee O'Hern
SECOND: Trustee Rinderknecht
VOTE: Unanimous

MEETING ADJOURNED: **2:15 pm**
NEXT MEETING: **January 2025**
Zoom Virtual Meeting

Jason Thorpe, Assisting Secretary
For
Keith Rosado, SECRETARY

RESOLUTION NO. 12-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL

Resolution of Certification
Annual Audit Report for Period Ending June 30, 2024

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for fiscal year 2023-24 has been filed by the appointed Pool Auditor with the Secretary of the Pool as per the requirements of N.J.S.A. 40A:5-6 and N.J.S.A. 40A:10-36, and a copy has been received by each Trustee, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Trustees of the Pool shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all Trustees have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
and
Recommendations

and

WHEREAS, the Trustees have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
and
Recommendations

as evidenced by the group affidavit form of the Board of Trustees.

WHEREAS, such resolution of certification shall be adopted by the Board of Trustees no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all Trustees have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the Fund Commissioners to the penalty provisions of R.S. 52:27BB-52 - to wit:

> R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Fund Commissioners of the **South Bergen VII Workers' Compensation Pool**, hereby state that they have complied with the promulgation of the Local Finance Board of the State of New Jersey, dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE

RESOLUTION PASSED AT THE MEETING HELD ON: DECEMBER 9, 2024